

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STATE OF WASHINGTON

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
THE NAVY, *et al.*,

Defendants.

Case No. 2:19-cv-01059-RAJ

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

The Court, having reviewed the Report and Recommendation of Chief Magistrate Judge J. Richard Creatura, objections to the Report and Recommendation, and the remaining record, does hereby find and **ORDER**:

1. The Court adopts the Report and Recommendation. The cross-summary judgment motions are granted in part and denied in part. Dkts. 87, 88, 92.

2. Plaintiffs' claims other than their claims that defendants violated NEPA by failing to disclose the basis for greenhouse gas emissions calculations, failing to quantify the impact of increased operations on classroom learning, failing to take a hard look at species-specific impacts on birds, and failing to give detailed consideration to the El Centro, California, alternative, are dismissed with prejudice.

3. The parties shall submit a stipulation regarding the appropriate remedy in this

1 matter or a stipulated briefing schedule within 30 days of the date of the Order.

2 The Clerk shall send a copy of this Order to Judge Creatura.

3
4 DATED this 2nd day of August, 2022.

5 
6

7 HON. RICHARD A. JONES
8 United States District Judge
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28